

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,                     )  
   )  
                  Plaintiff,                         )  
   )  
v.   ) No. S2-4:10 CR 119 CEJ (TIA)  
   )  
LELAND BEASLEY,                                )  
   )  
                  Defendant.                     )

**GOVERNMENT’S MOTION FOR LEAVE TO FILE OUT OF TIME AN AMENDED  
POST EVIDENTIARY HEARING BRIEF**

COMES NOW, the United States of America, by and through Richard G. Callahan,  
United States Attorney for the Eastern District of Missouri, and Robert F. Livergood, Assistant  
United States Attorney for said District, and for its Motion for Leave to File out of Time an  
Amended Post Evidentiary Hearing Brief states as follows:

1. On August 30, 2010, an evidentiary hearing was conducted in this matter;
2. On September 15, 2010, the Court ordered that the Government file its post  
hearing brief no later than September 23, 2010;
3. On September 23, 2010, the Government filed its post hearing brief;
4. Since that time the undersigned has realized that a footnote was erroneously  
omitted from the Government’s brief;
5. The Government seeks leave to file an amended brief with the only change being  
that footnote 1, which contains the source of information referred to in the brief,  
has been added.

For the above stated reasons, the Government requests that the Court grant it leave to file

its amended brief.

Respectfully submitted,

RICHARD G. CALLAHAN  
United States Attorney

s/ Robert F. Livergood  
ROBERT F. LIVERGOOD, 22937  
Assistant United States Attorney  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 26, 2010, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Ms. Nanci McCarthy  
Assistant Federal Public Defender  
Office of the Federal Public Defender  
1010 Market Street, Suite 200  
St. Louis, MO 63101

s/ Robert F. Livergood  
ROBERT F. LIVERGOOD, 22937  
Assistant United States Attorney